

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts
Southern District of Texas
FILED

AUG 21 2014

David J. Bradley, Clerk of Court

United States of America)

v.)

MITSUAKI TAKAHASHI)

Case No.

H14-818 MJ

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 20, 2014 in the county of Harris in the
Southern District of Texas, the defendant(s) violated:

Code Section

18 U.S. Code 2244(b) and
49 U.S. Code 46506(1)

Offense Description

In the special aircraft jurisdiction and the special maritime and territorial jurisdiction of the United States did knowingly engage in sexual contact with another person without that person's permission, to wit: the defendant touched, directly and through the clothing, the genitals of CY, with the intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.

Complainant's signature

Doretta J. Sannino, Special Agent, FBI

Printed name and title

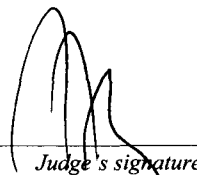
Sworn to before me and signed in my presence.

Date:

8.26.14

City and state:

Houston, Texas



Judge's signature

Mary Milloy, U.S. Magistrate Judge

Printed name and title

STATEMENT OF PROBABLE CAUSE

I, Doretta J. Sannino, being duly sworn, hereby depose and state the following:

1. I am employed as Special Agent with Federal Bureau of Investigation (FBI), United States Department of Justice, and have been so employed for the past twenty-three (23) years. Prior to the FBI, I served in the U.S. Army. I am currently assigned to the Houston Division of the FBI, Squad CT-2. Since June, 2013, my primary duties consist of multiple investigations pertaining to violations of federal law which occur within the airport environment and aboard aircraft at the George Bush Intercontinental and Hobby Airports. Title 49 United States Code, Section 46501 establishes the Special Aircraft Jurisdiction of the United States and gives the federal government jurisdiction in all criminal matters occurring on any civil aircraft of the United States while in flight regardless of departure or arrival location.

2. This affidavit is in support of a complaint charging MITSUAKI TAKAHASHI, DOB: XX/XX/1978, age 36, a Japanese Citizen, with violation of Title 18, United States Code, section 2244(b): Abusive sexual contact, which occurred on August 20, 2014 while aboard United Airlines flight 6, outbound from Narita, Japan to Houston, Texas. This is within special maritime and territorial jurisdiction of the United States.

3. The arrest warrant is for abusive sexual contact,

specifically, an assault which occurred aboard a United Airlines flight from Narita to Houston, Texas on August 20, 2014 in violation of Title 18, United States Code, Section 2244(b). This is within the special maritime and territorial jurisdiction of the United States.

4. The facts set forth in this statement of probable cause are based on my personal participation in this investigation, observations, my training and experience, and information obtained from other local and federal law enforcement officers and witnesses. This statement is intended to show that there is probable cause for the violation of Title 18, USC 2244(b) and does not purport to set forth all of my knowledge or investigation into this matter.

Background

5. Title 18 of the United States Code, Section 2244(b) states in pertinent part, whoever, in the special maritime and territorial jurisdiction of the United States knowingly engages in sexual contact with another person without that other person's permission has violated federal law.

6. While aboard United Airlines Flight 6, TAKAHASHI sat in seat 45F. The victim, a female, 21 years of age, sat in seat 45E. During noted flight, TAKAHASHI initiated unsolicited sexual contact with the victim. TAKAHASHI touched the victim's breast and leg. Furthermore, TAKAHASHI placed his hand under the victim's skirt and underwear and caused digital penetration of her genitals on at least two occasions during the flight.

7. On August 20, 2014, I participated in the interview of the 21 year old female victim of the assault, hereafter referred to as "CY" who advised me and others of the following facts: CY is 21 years old and is a Japanese Citizen. On Wednesday August 20, 2014, CY was a passenger aboard United Airlines Flight 6, which departed Narita, Japan en route for Houston, Texas which arrived at approximately 1:15 P.M. CST. CY sat in seat 45E. They struck a conversation and spoke about their travel. At one point during the conversation, TAKAHASHI asked CY's age. She told him and also advised she had a boyfriend. TAKAHASHI and CY played some games together on the screen in front of them.

8. A male passenger, identified as TAKAHASHI was sitting next to CY in seat 45F and spoke to CY early in the flight.

9. During the flight, CY fell asleep. She realized that TAKAHASHI had placed his hand on her arm and thigh. He further placed his hand in her panties and penetrated her vagina. CY

was scared and did not say anything. She moved her body to pull away. TAKAHASHI waited and then repeated his actions, placing his hand down CY's panties and again, causing digital penetration of her vagina. CY tried to close her legs and TAKAHASHI repeated the same action a third time. He apologized and she ignored him.

10. During this time, TAKAHASHI also took an unsolicited photo of CY's genital area with his cell phone. CY followed a passenger to the back of the aircraft and the passenger assisted in locating a flight attendant for her. The flight attendant immediately moved CY to a different seat and reported the incident.

11. On August 20, 2014, Flight Attendant SHAWN HORAN who was covering the mid-galley and was contacted by CY about the incident at approximately 0930 CST, at which time he re-seated CY in seat 20B. According to HORAN, neither CY nor TAKAHASHI were served any alcohol during the flight.

12. On August 21, 2014, I participated in the interview of TAKAHASHI, who was a passenger aboard United Airlines Flight 6, which departed Narita en route for Houston, Texas which arrived at approximately 1:15 P.M. CST. A Japanese interpreter was used. TAKAHASHI stated he was traveling to Mexico for work. He is employed as an Engineer with Komatsu NTC and planned to work and stay in Mexico.

13. TAKAHASHI stated he had never met CY until he boarded this flight. He spoke to her and asked her questions about where she was traveling; normal conversation. When asked if he had physical contact with CY, TAKAHASHI stated, Yes, upper and bottom areas. He grabbed her chest area and in between her legs, on top and underneath her clothing. He touched her and realized it made CY nervous, but she did not say anything. He thought she was scared. He saw her close her eyes. When asked if she gave permission to be touched, TAKAHASHI said CY said nothing when he initiated physical contact. She moved her hand to stop him.

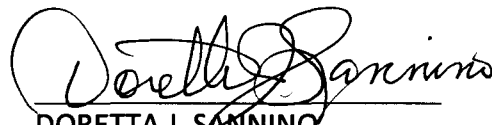
14. TAKAHASHI stated he took a picture of CY in the bottom area underneath her panties. He showed her the photo. She cried and he thought he had done too much then. He deleted the photo. When asked why he took the photo, TAKHASHI advised in Japan and Mexico, he takes photos like this with consenting prostitutes. Furthermore, he stated taking the photos of CY was gratifying to him because it humiliated her.

15. TAKAHASHI said he knew what he did was borderline, but he could not control his emotions or urges.


16. United Airlines flight 6 was at all times within the special maritime and territorial jurisdiction of the United States.

17. Based upon the foregoing, your affiant therefore, believes there is probable cause that MITSUAKI TAKAHASHI

conducted abusive sexual contact while within the special maritime and territorial jurisdiction of the United States, in violation of Title 18, United States Code, Section 2244(b) and respectfully requests a warrant be issued authorizing the arrest of TAKAHASHI.


DORETTA J. SANNINO
Special Agent, FBI

SWORN AND SUBSCRIBED before me on this 21st day of August, 2014, and I find probable cause.


Mary Milloy
U.S. Magistrate Judge
Southern District of Texas